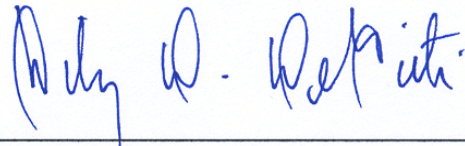


¹ The Court has “an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party,” and may raise the issue *sua sponte* at any time. *Image Software, Inc. v. Reynolds & Reynolds Co.*, 459 F.3d 1044, 1048 (10th Cir. 2006) (quoting *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006)).

before this Court is empowered to act. *See P&P Indus., Inc. v. Sutter Corp.*, 179 F.3d 861, 866 (10th Cir. 1999).

IT IS THEREFORE ORDERED that Plaintiffs shall file an amended complaint within 10 days of this Order to cure the jurisdictional deficiency in their pleading. Otherwise, this action is subject to a dismissal without prejudice for lack of jurisdiction.²

IT IS SO ORDERED this 17th day of August, 2011.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE

² This Order is not intended to preclude Plaintiffs from filing of a voluntary notice of dismissal, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), within this 10-day period.